

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>ROHALEY &amp; SON</b>	)	<b>CASE NO. 1:20CV2700</b>
<b>AUTOMOTIVE, INC.</b>	)	
	)	<b>SENIOR JUDGE</b>
<b>Plaintiff,</b>	)	<b>CHRISTOPHER A. BOYKO</b>
	)	
<b>vs.</b>	)	
	)	
<b>TRAVELERS CASUALTY</b>	)	<b>MEMORANDUM OF</b>
<b>INSURANCE CO. OF AMERICA,</b>	)	<b>OPINION AND ORDER</b>
	)	
<b>Respondent.</b>	)	

**CHRISTOPHER A. BOYKO, S.J.:**

This matter is before the Court on Magistrate Judge Thomas M. Parker's Supplemental Report and Recommendation (Doc. 35) pertaining to the parties' discovery dispute. The Supplemental Report and Recommendation recommends the Court grant in part Defendant's Motion to Dismiss (Doc. 18) by compelling Plaintiff to supplement its discovery responses. Judge Parker also recommended that the Court award Defendant the reasonable expenses and attorney fees it incurred to pursue its motion to compel. Finally, Judge Parker recommended the Court deny in part Defendant's Motion to the extent it requested dismissal of this action. Objections to the Supplemental Report and Recommendation were due by August 25, 2022. Neither party has filed an objection.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. Fed. R. Civ. P. 72(b)(2). Both parties have failed to timely file any such objection. Therefore, the Court must assume that the

parties are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Court **ADOPTS** the Supplemental Report and Recommendation of the Magistrate Judge (Doc. 35); **VACATES IN PART** the previous Report and Recommendation (Doc. 26); **GRANTS IN PART** Defendant's Motion (Doc. 18) and compels Plaintiff to supplement<sup>1</sup> its discovery responses by September 9, 2022; **DENIES IN PART** Defendant's Motion (Doc. 18) to the extent it requests dismissal; and **ORDERS** Plaintiff to pay the reasonable expenses and attorney fees Defendant incurred to pursue its motion to compel, as approved by the Court.<sup>2</sup> Plaintiff has until August 29, 2022 to respond to Defendant's itemized costs and fees.

**IT IS SO ORDERED.**

s/ Christopher A. Boyko  
**CHRISTOPHER A. BOYKO**  
Senior United States District Judge

**Dated: August 26, 2022**

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<sup>1</sup> In accordance with the Supplemental Report and Recommendation, Plaintiff must "supplement its responses to Interrogatory Nos. 2, 6 and 8 and Requests for Production Nos. 15 and 20 through 25[.]" (Doc. 35, PageID: 416).

<sup>2</sup> On August 24, 2022, Defendant submitted its itemized expenses and fees for pursuing its Motion to Compel. (Doc. 36).